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10 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

11 KEN WALTERS and JOHN BONILLA, in
12 their respective capacities as Trustees of the
13 OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
14 CALIFORNIA, et al.,

15 Plaintiffs,
v.
16 GOLDEN GATE CRANE & RIGGING, INC.,
17 Defendant.

18 KEN WALTERS and JOHN BONILLA, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

22 Plaintiffs,
v.
24 GOLDEN GATE CRANE & RIGGING, INC.,
ROBERT NEWBERRY, SUE NEWBERRY,
et al.,
26 Defendants.

Case No.: C06-1906 WHA [DMR]

Consolidated With

Case No.: C06-5396 WHA [DMR]

**[PROPOSED] AMENDED ORDER
SETTING DEBTOR'S EXAMINATION
ROBERT NEWBERRY, IN HIS
CAPACITY AS AN OFFICER OF
JUDGMENT DEBTOR GOLDEN GATE
CRANE & RIGGING, INC. AS MODIFIED**

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**[PROPOSED] ORDER SETTING GOLDEN GATE CRANE & RIGGING, INC. DEBTOR'S EXAMINATION
CASE NO.: C06-1906 WHA [DMR] & C06-5396 WHA [DMR]**

G:\DMRALL\CASES\CIVIL\2006 CLOSED\Consolidated cases 06.1906.WHA and 06.5396.WHA.Walters et al\FILED.06-5396.Amended Order Setting Golden Gate Crane & Rigging Judgment Debtor's Exam 011712.DOC

1 Pursuant to Order Re Plaintiffs' Request for Reconsideration of January 3, 2012 Order
2 (Docket No. 113), and Good Cause Appearing therefore,

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

4 1. Robert Newberry, as an officer of Judgment Debtor Golden Gate Crane & Rigging,
5 Inc. shall personally appear on **April 25, 2012 at 9:30 a.m.** at Oakland Courthouse, Courtroom 4 -
6 3rd Floor, 1301 Clay Street, Oakland, CA 94612, California before the Magistrate Judge Donna
7 M. Ryu then and there to be examined on oath concerning Judgment Debtor's property or other
8 matters material to the proceeding.

9 2. Judgment Creditors shall personally serve Robert Newberry, officer of Judgment
10 Debtor Golden Gate Crane & Rigging, Inc., with a copy of this Order and shall provide proof of
11 such service to the Court not less than five (5) days before the Judgment Debtor Examination.

12 3. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor
13 Examination herein scheduled, or to produce the documents pursuant to F.R.C.P. 34, this Court
14 may certify the facts of the Judgment Debtor's contempt to the District Court pursuant to 28 U.S.C.
15 § 636(e), and the District Court may adjudicate Judgment Debtor guilty of civil contempt of its
16 orders and may issue a warrant or seizure order to compel compliance with this Order.

17 DATED this 17th day of January, 2012



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19 UNITED STATES MAGISTRATE JUDGE
20 DONNA M. RYU
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